

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SENY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 3/4/14

IN RE SEPTEMBER 11TH LITIGATION

: **ORDER TO SHOW CAUSE**
 : **WHY SANCTIONS SHOULD**
 : **NOT BE IMPOSED**

: 21 MC 100 (AKH)
 : 21 MC 102

X

WHEREAS, Plaintiffs' and defendants' counsel on these master dockets have agreed to use TCDI, a third-party vendor, to manage data and have entered into agreements to divide the cost of TCDI's services;

WHEREAS, on October 30, 2013, this Court directed certain law firms, including Harrington, Ocko & Monk, LLP and Jones Hirsch Connors & Bull, P.C., which owed TCDI outstanding amounts for its work related to these master dockets to, by November 30, 2013, pay their outstanding balance or submit a letter stating why the law firm will not be paying;

WHEREAS, the October 30, 2013 order noted that TCDI had represented to the Court that Harrington, Ocko & Monk, LLP owed an outstanding balance of \$2,042.71 and Jones Hirsch Connors & Bull P.C. owed an outstanding balance of \$2,187.02;

WHEREAS, Harrington, Ocko & Monk, LLP and Jones Hirsch Connors & Bull, P.C. did not submit payment to TCDI by November 30, 2013;

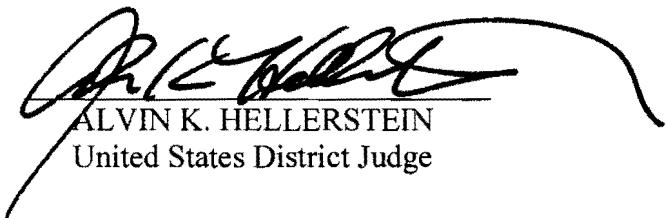
WHEREAS, on January 3, 2014, this Court issued a second order directing five law firms, including Harrington, Ocko & Monk, LLP and Jones Hirsch Connors & Bull, P.C., to pay their outstanding balances by January 31, 2014 and warned that "[f]ailure to do so may result in a contempt finding";

AND WHEREAS, TCDI has represented to the Court by the attached letter that Harrington, Ocko & Monk, LLP and Jones Hirsch Connors & Bull, P.C. have not paid their outstanding balance;

IT IS HEREBY ORDERED that Harrington, Ocko & Monk, LLP and Jones Hirsch Connors & Bull, P.C. are ordered to show cause, by March 21, 2014, why sanctions should not be ordered for double the amount that the law firms owed and have not paid.

SO ORDERED.

Dated: March 4, 2014
New York, New York

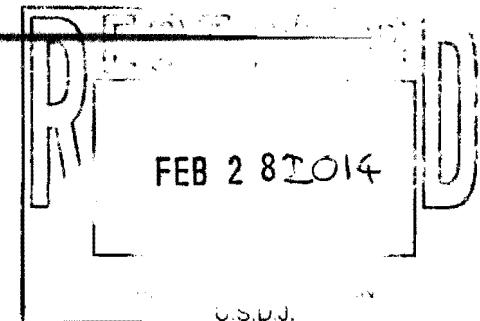

ALVIN K. HELLERSTEIN
United States District Judge



4510 Weybridge Ln Greensboro, NC 27407
phone: 888.823.2880 fax: 336.232.5850

February 28, 2014

The Honorable Alvin K. Hellerstein
U.S. District Court, Southern District of New York
500 Pearl Street
New York, NY 10007-1312



Re: Case 1:21-mc-00100-AKH Document 3091 Filed 10/30/13 (See attached)
Past Due Invoices - Status Update

Dear Judge Hellerstein,

Per the attached Court Order, TCDI mailed a copy of the order with the attached letter to each law firm identified as owing an outstanding balance on November 5, 2013.

All firms have paid, except for the following two defense counsel firms:

Defense Counsel	Total Due
Harrington, Ocko & Monk, LLP	\$ 2,042.71
Jones Hirsch Connors & Bull P.C.	\$ 2,187.02
Total Invoice Balance Outstanding	\$ 4,229.73

The Court's assistance is greatly appreciated. Please advise next steps.

Very truly yours,

A handwritten signature in black ink that reads 'Lisa K. Cain'.

Lisa K. Cain
CFO
TCDI
l_cain@tcdi.com

cc: Ned Adams
Special Master James A. Henderson, Jr.
Special Master Aaron D. Twerski

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: 10/30/13
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IN RE SEPTEMBER 11TH LITIGATION

X
: **ORDER REGARDING**
: **INVOICES**

21 MC 100 (AKH)
21 MC 102

X

Plaintiffs' and defendants' counsel on these master dockets have agreed to use TCDI, a third-party vendor, to manage data and have entered into agreements to divide the cost of TCDI's services. By the attached letter, TCDI has represented to the Court that certain law firms owe TCDI outstanding amounts for its work related to these master dockets.

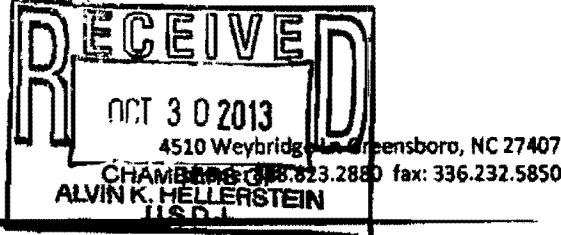
The law firms identified in the attachments to the letter as owing outstanding balances are hereby ordered to pay their outstanding balance or to submit a letter to TCDI, with a copy sent to my chambers, stating why the law firm will not be paying. Payments and letters must be submitted by November 30, 2013. TCDI is directed to mail a copy of this order with the attached letter to each law firm identified as owing an outstanding balance.

SO ORDERED.

Dated: October 30, 2013
New York, New York



ALVIN K. HELLERSTEIN
United States District Judge



October 30, 2013

The Honorable Alvin K. Hellerstein
U.S. District Court, Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Re: Past Due Invoices (October 2011 through October 2013)

Dear Judge Hellerstein,

Special Masters Twerski advised TCDI to complete this letter for assistance in resolving TCDI's past due balances for invoices submitted to certain parties or counsel in the MC100 and the MC102 matters. As you know, fees in these matters were divided between Defendants and Plaintiffs and were to be paid by the counsel involved. Despite repeated request for payment, TCDI has been unable to bring counsel current in these matters and requests your help.

In the MC102 matter, the outstanding balance for Plaintiff Counsel totals \$36,915 and the outstanding balance for Defendants Counsel totals \$28,290. Some of these invoices have been outstanding since October 2011. In the MC100 matter, one Plaintiff Counsel has an outstanding balance totaling \$5,105 with unpaid invoices dating back to April 2012. Details of the individual outstanding balances for both the MC102 and MC100 matters are enclosed.

At different points in time, there have been requests by one plaintiff firm for additional information regarding billed hours for work performed by TCDI. Since contract inception, TCDI has tracked time in a consistent manner for both MC100 and MC102 and has only performed billable work based on direct requests from the parties. Additionally TCDI has provided explanations for time billed as a part of quarterly invoicing. No other parties have requested additional information and, at this point, it would be burdensome for TCDI to provide any additional detail on requested work performed. Both the MC100 and MC102 contracts state that all work performed by TCDI is billed at \$200 per hour. Additional time spent by TCDI on the matter of billing only increases the amount owed by the parties.

The Court's assistance is greatly appreciated and TCDI would ask the Court to require the parties to become current by November 30, 2013.

Very truly yours,

A handwritten signature in black ink that reads 'Lisa K. Cain'.

Lisa K. Cain
CFO
TCDI
l_cain@tcdi.com

cc: Ned Adams
Special Master James A. Henderson, Jr.
Special Master Aaron D. Twerski

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MC102 Past Due Amounts

	TOTAL DUE
Defense Counsel	
Ahmuty Demers & McManus	\$ 309.65
Akerman Senterfitt LLP	\$ 2,187.02
Berry, McTiernan & Moore	\$ 280.67
Bee Ready Fleishbein Hatter & Donovan, LLP	\$ -
Brach Eichler LLC	\$ 172.99
Caitan, Koster, Brady & Brennan, LLP	\$ 1,489.72
Cozen O'Connor	\$ -
Cullen and Dykman LLP	\$ 1,044.28
Day Pitney, LLP	\$ 144.31
DLA Piper US LLP	\$ 309.65
Eckert Seamans Cherin & Mellott, LLC	\$ 312.78
Faust Goetz Schenker & Blee, LLP	\$ 109.09
Flemming Zuleck Williamson Zauderer LLP	\$ 280.67
Freidman, Harfenist, Kraut & Peisstein LLP	\$ 2,021.12
Gordon & Silber	\$ 454.14
Harrington, Ocko & Monk, LLP	\$ 2,042.71
Harris Beach PLLC	\$ 7.95
Hawkins Rosenfeld Ritzert & Varniak, LLP	\$ 302.26
Jones Hirsch Connors & Bell P.C.	\$ 2,187.02
Kirkland & Ellis LLP	\$ 109.09
Kopff, Nardel, & Dopf LLP	\$ 453.96
Law Offices of Frank A. Scanga	\$ 136.36
Law Offices of Michael E Preseman	\$ 2,016.57
Lawrence Worden Rainis & Bard, PC	\$ 36.93
Lewis Brisbois Bisgaard & Smith LLP	\$ 1,138.02
Littlender & Reich LLP	\$ 2,187.02
Litchfield Covo LLP	\$ 446.01
London Fischer, LLP	\$ 165.90
McElroy, Deutsch, Mulvaney & Carpenter, LLP	\$ 136.36
McGivney & Kluger, P.C.	\$ 579.53
McGuire Woods	\$ 144.31
McMahon Martine & Gallegher, LLP	\$ 882.93
Methfessel & Werbel	\$ -
Patton Boggs LLP	\$ 706.24
Rubin, Florella & Friedman, LLP	\$ 306.81
Ruseo, Keane & Toner, LLP	\$ 2,060.66
Satterlee Stephens Burke & Burke LLP	\$ 986.44
Schnader Attorneys at Law	\$ 653.95
Schuchman Schwarz & Zoldan-Leite, LLP	\$ 665.31
Segal McCambridge Singer & Mahoney, LTD	\$ -
Strongin Rothman & Abrams LLP	\$ 280.67
Wade Clark Mulcahy	\$ 136.36
White and McSpedon, PC	\$ 453.96
Wilson, Elser, Moskowitz, Edelman & Dicker LLP	\$ 280.67
Plaintiff Counsel	
Cannata/Grochow	\$ 604.24
Oshman & Mirisola	\$ 18.78
The Sanders Firm	\$ 21.39
The Napoli Firm	\$ 38,270.56
	\$ 85,205.06

10/22/2013
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A/R Aging Schedule Detail

Listing from WGE to WGE
As Of Period 10-2013, 10/22/2013
Zero balance items suppressed
Retainage not included